

# **EXHIBIT U**

David Tirschwell, MD.

November 4, 2019

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IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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MARTHILDE BRZYCKI, )  
Plaintiff, )  
vs. ) No. 2:18-cv-01582-MJP  
HARBORVIEW MEDICAL CENTER )  
and UNIVERSITY OF )  
WASHINGTON, )  
Defendants. )

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DEPOSITION UPON ORAL EXAMINATION  
OF

DAVID TIRSCHWELL, MD

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9:31 a.m.

November 4, 2019

705 Second Ave

Seattle, Washington

REPORTED BY: Margaret Walkky, CCR, RPR, RMR, CRR  
Court Reporter, License No. 2540

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2 A P P E A R A N C E S

3

4 FOR PLAINTIFF: CHRISTIE J. FIX

5 Frank Freed Subit & Thomas

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7 Seattle, Washington 98104

8 206-682-6711

9 cfix@frankfreed.com

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11 FOR DEFENDANTS: SETH J. BERNTSEN

12 Foster Garvey

13 1111 Third Ave, Ste 3400

14 Seattle, Washington 98101

15 206-447-4400

16 seth.berntsen@foster.com

17

18 ALSO PRESENT: William Goodman,

19 UW Claim Services

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1 MS. FIX: I knew he was going to object  
2 to that one. Let me back up.

3 Q. So when Mattie was on leave, the  
4 neurology ARNPs were covering her clinic, correct?

5 A. They were trying to.

6 Q. Okay. That was Anna Krumpe, Lynne  
7 Smith and Marylou Willis?

8 A. Those were three nurse-practitioners,  
9 but again, I don't remember the timing of it all.

10 Q. Okay.

11 A. It seems reasonable that it was them.

12 Q. Who do those neurology ARNPs report to?

13 A. Oh, I don't know. For what?

14 Q. Who was their manager?

15 A. I don't know. I'm sure it wasn't me,  
16 though.

17 Q. Fair enough.

18 So the schedule on the last two pages  
19 of Exhibit-97 had Mattie seeing six patients on  
20 Tuesdays, and Mattie asks in her email to see three  
21 to four patients on Tuesdays. Can you think of any  
22 reason why the neurology ARNPs couldn't have covered  
23 the remaining two or three patients on Tuesdays?

24 A. Yes.

25 Q. And what's that?

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1                   A.    They had full-time jobs outside of  
2 attending Stroke Clinic, and in fact, had to put  
3 their normal duties to some degree aside to cover the  
4 Stroke Clinic.

5                   Q.    But they covered the Stroke Clinic  
6 while Mattie was on leave before June 30, 2017,  
7 correct?

8                   A.    As best they could. It was a  
9 tremendous struggle.

10                  Q.    And they covered the Stroke Clinic when  
11 Mattie went back on leave later in July 2017; is that  
12 correct?

13                  A.    You know, I don't recall. I do recall  
14 that every time that Mattie was on leave, it was a  
15 tremendous struggle to cover all of those follow-up  
16 visits.

17                  Q.    But they were covered, correct?

18                  A.    I don't recall how well. It depends  
19 what you mean by "covered."

20                  Q.    The patients were seen?

21                  A.    Patients that came to clinic were seen.  
22 Whether that was an adequate amount or not, or  
23 whether it was full coverage, I don't recall.

24                  Q.    Okay. Were you aware that Mattie had  
25 filed a complaint of harassment against Tricia Roland

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C E R T I F I C A T E

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3 STATE OF WASHINGTON )ss.  
4 COUNTY OF KING )

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7 I, Margaret Walkky, the undersigned Registered Merit  
8 Reporter and an officer of the Court for the State of  
Washington, hereby certify that the foregoing  
deposition upon oral examination of DAVID TIRSCHWELL,  
9 MD was taken before me on November 4, 2019 and  
transcribed under my direction;

10

11 That the witness was duly sworn by me pursuant to RCW  
12 5.28.010 to testify truthfully; that the transcript  
of the deposition is a full, true, and correct  
transcript to the best of my ability; that I am  
neither attorney for, nor a relative or employee of,  
13 any of the parties to the action or any attorney or  
counsel employed by the parties hereto, nor  
14 financially interested in its outcome;

15

I further certify that in accordance with CR 30(e),  
the witness was given the opportunity to examine,  
read, and sign the deposition, within 30 days, upon  
its completion and submission, unless waiver of  
signature was indicated in the record.

16

IN WITNESS WHEREOF, I have hereunto set my hand and  
seal this date: November 11, 2019.

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.....  
Margaret Walkky, Registered Merit Reporter  
Certified Court Reporter No. 2540 License  
expires July 18, 2020

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